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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/658,306	09/09/2003	Nancy L. Saxon	60,130-1626; 02MRA0440	2157

26096 7590 06/30/2006  
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EXAMINER

ILAN, RUTH

ART UNIT	PAPER NUMBER
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3616

DATE MAILED: 06/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/658,306	Applicant(s) SAXON ET AL.	
	Examiner Ruth Ilan	Art Unit 3616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE \_\_\_\_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☐ Claim(s) \_\_\_\_ is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

## DETAILED ACTION

### *Drawings*

1. The drawings were received on 4/5/06. These drawings are approved.

*Claim Rejections - 35 USC § 102*

*Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 14, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Robey (US 4,919,445) in view of VanDenberg (US 5,718,445) Robey teaches a suspension slider (22- See Figure 2) for a vehicle trailer (10) including first and second spaced apart longitudinal members (marked A in Figure 10) with a structure forming a continuous horizontal wall that interconnects the first and second longitudinal members

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and has first and second angled portions (38) converging to a central portion (middle of central lateral beam shown in Figure 2) and two lateral portions extending from the central portion (two sides of lateral beam coming off the central portion.) Robey further teaches a support (26) for front and rear suspension assemblies (24, 20) but only discloses the support schematically, and does not show two downwardly depending hangers. VanDenberg teaches that such hangers (see 5,6) are well known in the tandem axle art, and used to provide tandem wheels with a suspension that is roll stable and resistant to lateral deflection (see VanDenberg, col. 1, lines 7-14.) It would have been obvious to one having ordinary skill in the art at the time of the invention to include the tandem axle suspension and hangers of VanDenberg with the slider of Robey, in order to provide a tandem axle that is roll stable, and resistant to lateral deflection.

5. Claims 14, 16 and 21-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Christenson (US 5,067,740) in view of Hutchens (3,406,439) Please see the previous office action examiner annotated Figure 10 from Christenson.

Christenson teaches a suspension slider (70) for a vehicle trailer (30) including first and second spaced apart longitudinal members (marked A in Figure 10) with a structure forming a continuous horizontal wall that interconnects the first and second longitudinal members and has first and second angled portions (B) converging to a central portion (C- portion of rear lateral member with central oval hole in it) and two lateral portions extending from the central portion (D- each of two sides of the lateral member with two oval holes each in them.) Christenson fails to teach hangers that support front and rear suspensions. Hutchens teaches providing integral hangers (44) that support front and

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rear tandem axle suspensions, and are useful because they provide for the production of a suspension unit with a minimum number of parts and fabricating steps (see col. 1, lines 11-20.) It would have been obvious to one having ordinary skill in the art at the time of the invention to modify the slider of Christenson to include integral hangers in order to provide for the production of a suspension unit with a minimum number of parts and fabricating steps. Regarding claims 21, 22, and 23, the hangers form an inverted U-shaped cross section, provided by a unitary wall and include laterally spaced apart vertical walls, (see Figures 3 and 4.)

6. Claims 17, 18, 20, 24 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Christenson (US 5,067,740) in view of Hutchens (3,406,439) and further in view of Garcia (US 5,722,688) The combination of Christenson in view of Hutchens is discussed above, and regarding claim 20, third and fourth angled portions converge to a second central portion (F) and the second central portion has second lateral portions extending in opposing directions (G.) and is silent regarding the construction of the slider. Christenson does indicate that it is contemplated to form trailer frames from two plates (trailer 30 is formed from plates 46 and 47 connected by vertical web 48, see Figure 5.) Garcia teaches that such a construction is useful because it is strong and simple to manufacture (see col. 5, lines 30-45 and Figure 2 and 12b) It would have been obvious to one having ordinary skill in the art at the time of the invention to construct the trailer of Christenson in the manner taught by Garcia, and such include first and second plates and a vertical member between them, because, as taught by Garcia, such a construction is strong and simple to manufacture.

7. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Christenson (US 5,067,740) in view of Hutchens (3,406,439) and Garcia (US 5,722,688) and further in view of Loeber (US 3,856,344.) Christenson, Hutchens and Garcia are discussed above, and do not teach lightening holes. Loeber teaches that it is known to provide lightening holes (56, 64) to vehicle frame structure in order to provide a strong, but lightweight frame structure that substantially lightens the load (see col. 5, line 61.) It would have been obvious to one having ordinary skill in the art at the time of the invention, in view of the teaching of Loeber to include lightening holes in the vertical members of Christenson in view of Hutchens and Garcia in order to provide a frame with a lightweight by strong structure.

8. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Christenson (US 5,067,740) in view of Hutchens (3,406,439) and Garcia (US 5,722,688) and further in view of Pierce et al. (US 5,720,489.) Christenson in view of Hutchens and Garcia is discussed above and fails to teach triangular shaped braces as claimed. Pierce et al. teaches that it is known to provide triangular shaped braces with u-shaped cross section (170) which are used to provide additional strength to the sliders. It would have been obvious to one having ordinary skill in the art at the time of the invention to include triangular shaped braces, as taught by Pierce et al., in order to provide additional strength to the sliders.

***Response to Arguments***

9. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ruth Ilan whose telephone number is 571-272-6673. The examiner can normally be reached on Monday-Friday, 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Dickson can be reached on 571-272-6669. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Ruth Ilan  
Primary Examiner  
Art Unit 3616

  
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